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**AUG 12 2005**

PTO/SB/50 (04-05)

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**Request  
for  
Continued Examination (RCE)  
Transmittal**

Address to:  
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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Application Number	10/078,278
Filing Date	February 20, 2002
First Named Inventor	Wagner
Art Unit	1634
Examiner Name	Bausch, S
Attorney Docket Number	007274-01

**This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.**

**Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.**

1. ☐ **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_

ii. ☐ Other \_\_\_\_\_

b. ☒ Enclosed

i. ☒ Amendment/Reply

ii. ☐ Affidavit(s)/Declaration(s)

iii. ☐ Information Disclosure Statement (IDS)

iv. ☐ Other \_\_\_\_\_

2. **Miscellaneous**

a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.170) required)

b. ☐ Other \_\_\_\_\_

3. **Fees**

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

The Director is hereby authorized to charge the following fees, any underpayment of fees, or credit any overpayments, to Deposit Account No. 502878. I have enclosed a duplicate copy of this sheet.

a. ☒

i. ☒ RCE fee required under 37 CFR 1.17(e)

ii. ☒ Extension of time fee (37 CFR 1.136 and 1.17)

iii. ☐ Other

b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed

c. ☒ Payment by credit card (Form PTO-2036 enclosed)

08/15/2005 TL0111 00000019 10078278

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<b>SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED</b>	
Signature _____	Date 12 August 2005
Name (Print/Type) Jennifer M. McCallum D., Esq.	Registration No. 52,492

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I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Signature _____	Date 12 August 2005
Name (Print/Type) Gregory R. McCallum	

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 36 U.S.C. 122 and 37 CFR 1.111 and 1.114. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Art Unit	1634
Examiner Name	Busch, S
Attorney Docket Number	007274-01

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- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- ii. ☐ Other \_\_\_\_\_
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**2. Miscellaneous**

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- b. ☐ Other \_\_\_\_\_

**3. Fees**

- The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed. The Director is hereby authorized to charge the following fees, any underpayment of fees, or credit any overpayments, to Deposit Account No. 502679. I have enclosed a duplicate copy of this sheet.
- a. ☒ RCE fee required under 37 CFR 1.17(e) 396.00
- b. ☒ Extension of time fee (37 CFR 1.138 and 1.17) 50.00
- c. ☐ Other \_\_\_\_\_
- d. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed
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<b>SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED</b>	
Signature <u>Gregory M. McCallum</u>	Date <u>12 August 2005</u>
Name (Print/Type) <u>Gregory M. McCallum Ph.D., Esq.</u>	Registration No. <u>52,492</u>

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